25.9.2006 Present: Mr. Ramakant Sharma, counsel for the petitioner.

Mr. Surinder Sharma, counsel for the respondent.

CR No. 89/01

This is a revision petition directed against the orders passed by the courts below on the application filed under Order 39 rule 1 and 2 CPC by the plaintiff. The plaintiff after obtaining stay order took almost five years to close his evidence.

Without going into the merits of the case and without expressing any opinion on the rival contentions of the parties, I feel that the interest of justice will be met in case the revision is disposed of with a direction to the trial Court to dispose of this case on or before 31st December, 2006. The trial court shall dispose of the Civil Suit on the basis of the evidence led before it totally uninfluenced by the observations made in proceedings out of which the present revision petition arises. The petition is disposed of accordingly.

Sept; 25, 2006. (Deepak Gupta), J.

s.